

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YI SUN,

Plaintiff,

-v.-

HUGH H. MO; TSAI CHUNG CHAO; MAYOR ERIC LEROY ADAMS; THE LAW FIRM OF HUGH H. MO, P.C.; LI DA SUN; THE TOP ASIAN UNIFORMED NYPD OFFICERS, WHO ARE MEMBERS OF THE NYPD ASIAN-AMERICAN POLICE EXECUTIVES COUNCIL, AAPEX; NATURO-MEDICAL HEALTH CARE, P.C.; THE CITY OF NEW YORK; DET. STEVEN MATTHEWS; DET. BRYAN TROCKEL; DET. BRUNO VIDAL; SAM TSANG; DETECTIVE OR SUPERVISOR IN 72 PRECINCT; and LIEUTENANT TIMOTHY CAI,

Defendants.

24 Civ. 3630 (KPF)

ORDER OF SERVICE

KATHERINE POLK FAILLA, District Judge:

Because Plaintiff has been granted permission to proceed IFP, she is entitled to rely on assistance from the Court and the United States Marshals Service (“USMS”) to effect service. *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve all process ... in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the Court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).

To allow Plaintiff to effect service on Mr. Li Da Sun through the USMS, the Clerk of Court is instructed to fill out a USMS Process Receipt and Return form (“USM-285 form”) for this defendant. The Clerk of Court is further instructed to issue a summons for this defendant and deliver to the USMS all the paperwork necessary for the USMS to effect service upon this defendant.

If the Amended Complaint (Dkt. #4) is not served within 90 days after the date the summons is issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff's responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if her address changes, and the Court may dismiss the action if Plaintiff fails to do so.

For the reasons discussed above, the Court hereby DIRECTS SERVICE on Mr. Li Da Sun.

The Court further directs the Clerk of Court to: [i] issue a summons for Mr. Li Da Sun; [ii] complete USM-285 forms with the service addresses of this defendant; and [iii] deliver all documents necessary to effect service of the summons and the Amended Complaint (Dkt. #4) on this defendant to the USMS.

The Court also directs the Clerk of Court to mail a copy of this Order to Plaintiff.

SO ORDERED.

Dated: October 1, 2024
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge

SERVICE ADDRESSES FOR DEFENDANT

1. Mr. Li Da Sun
43-18 Robinson Street
Basement
Flushing, New York 11355
2. Mr. Li Da Sun
41-34 Frame Place
Apt #LB
Flushing, New York 11355
3. Mr. Li Da Sun
131-62 Maple Avenue
Flushing, New York 11355